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ORDINANCE____

AN ORDINANCE relating to land use and shorelines, amending Sections 23.60.394, 23.60.420, 23.60.484, 23.60.488, 23.60.544, 23.60.572, 23.60.600, 23.60.606, 23.60.632, 23.60.660, 23.60.662, 23.60.668, 23.60.692, 23.60.720, 23.60.728, 23.60.730, 23.60.752, 23.60.780, 23.60.786, 23.60.812, 23.60.840, 23.60.848, 23.60.872, and 23.60.906 to regulate telecommunication utilities in the shoreline environments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection D of Section 23.60.394 of the SMC, which Section was last amended by Ordinance 116325, is further amended as follows:

23.60.394 Height in the CR Environment.

* * *

- D. Rooftop Features.
- 1. Radio and television receiving ((aerials)) antennas, flagpoles and chimneys may extend ten feet (10') above the maximum height limit.
- 2. Open railings, planters, skylights, clerestories, monitors, greenhouses, solar collectors, parapets and firewalls may extend four feet (4') above the maximum height limit.

* * *

Section 2. Subsection A of Section 23.60.420 of the SMC, which Section was adopted by Ordinance 113466, is amended as follows:

23.60.420 Uses permitted outright on waterfront lots in the CM Environment.

Uses permitted outright on waterfront lots in the CM Environment. The following uses shall be permitted outright on waterfront lots in the Conservancy Management Environment as either principal or accessory uses:

A. Utilities:

1	1. Utility lines, and
2 3	2. Utility service uses whose operations require a shoreline location, excluding communication utilities;
4	entimidation durings,
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8	Section 3. Subsection G of Section 23.60.484 of the SMC, which Section was adopted
9	by Ordinance 113466, is amended as follows:
10	
11	23.60.484 Special uses in the CW Environment.
12	The following uses may be authorized in the CW Environment by the Director if the special use
13	criteria of Section 23.60.032 are satisfied:
14	
15	* * *
16	
17	G. Utility lines, excluding communication utilities;
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19	* * *
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22	Section 4. The <u>title</u> of Section 23.60.488 of the SMC, which Section was adopted by
23	Ordinance 113466, is amended as follows:
24	42 (0 400 P. 1914 1
25	23.60.488 Prohibited uses in the CW Environment.
26	* * *
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28 29	
30	Section 5. Subsection B of Section 23.60.544 of the SMC, which Section was last
31	amended by Ordinance 188663, is further amended as follows:
32	afferted by Ordinance 100003, is further afferted as follows.
33	23.60.544 Prohibited uses on waterfront lots in the UR Environment.
34	20.00.01. 110mbied uses on watern out for in the Ox Environment
35	The following uses shall be prohibited as principal uses on waterfront lots in the UR Environment:
36	word state of promotes as principal associatives in the off Environment.
37	* * *
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39	B. The following utilities:

	1. Major and minor ((C))communication utilit((y))ies,
	2. Solid waste transfer stations,
	3. Power plants, and
	4. Sewage treatment plants;
	* * *
	Section 6. Subsection D of Section 23.60.572 of the SMC, which Section was last
an	nended by Ordinance 120117, is further amended as follows:
23	.60.572 Height in the UR Environment.
	* * *
	D. Doofton Conturns
	D. Rooftop Features.
OX 7	 Radio and television receiving ((aerials)) antennas, flagpoles, and religious mbols for religious institutions are exempt from the height limit, except as regulated in Chapte
-	.64, Airport Height District, provided such features are:
دے	a. No closer to any adjoining lot line than fifty (50) percent of their hei
ah	ove existing grade; or
ao	b. If attached only to the roof, no closer to any adjoining lot line than f
(5)	0) percent of their height above the roof portion where attached.
(5	2. Open railings, planters, skylights, clerestories, monitors, solar greenhouses,
pa	rapets, and firewalls may extend four (4) feet above the maximum height.
r	3. The following rooftop features may extend ten (10) feet above the maximum
he	ight, so long as the combined total coverage of all features does not exceed fifteen (15) perc
	the roof area or twenty (20) percent of the roof area if the total includes screened mechanic
	uipment:
	a. Stair and elevator penthouses;
	b. Mechanical equipment;
	c. Play equipment and open-mesh fencing which encloses it, so long a
fer	ncing is at least five (5) feet from the roof edge; and
	d. Chimneys.
	* * *
	Section 7. Subsection E of Section 23.60.600 of the SMC, which Section was adop
ЭУ	Ordinance 113466, is amended as follows:

-	02 (0 (00 H)
4	23.60.600 Uses permitted outright on waterfront lots in the US Environment.
	The following uses shall be permitted outright on waterfront lots in the Urban Stable environmental or accessory uses:
	* * *
	E. The following utilities:
	1. Utility lines,
	2. Utility service uses whose operations require a shoreline location, and
	3. Minor communication utilities, except freestanding transmission towers;
	* * *
	Section 8. Subsection F of Section 23.60.606 of the SMC, which Section was last
8	amended by Ordinance 118663, is further amended as follows:
2	23.60.606 Prohibited uses on waterfront lots in the US Environment.
_	Γhe following uses shall be prohibited as principal uses on waterfront lots in the US environm
	The following uses shall be profibiled as principal uses on waterfront lots in the O3 chviroling
	* * *
	F. The following utilities:
	1. Major $((C))$ communication utilities,
	2. Solid waste transfer stations,
	3. Power plants((; and)),
	4. Sewage treatment plants, and
	5. Freestanding transmission towers for minor communication utilities;
	* * *
	Section 9. Subsection D of Section 23.60.632 of the SMC, which Section was last
8	mended by Ordinance 120117, is further amended as follows:
-	23.60.632 Height in the US Environment.
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- 1. Radio and television receiving ((aerials)) antennas, smokestacks, chimneys, flagpoles, and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height District, provided they are a minimum of ten feet (10') from any side or rear lot line.
- 2. Open rails, planters, skylights, clerestories, monitors, greenhouses, parapets, and firewalls may extend four feet (4') above the maximum height limit with unlimited rooftop coverage.
- 3. The following rooftop features may extend up to fifteen feet (15') above the maximum height limit, so long as the combined total coverage of all features listed in this subsection does not exceed twenty percent (20%) of the roof area or twenty-five percent (25%) of the roof area if the total includes screened mechanical equipment:
 - a. Solar collectors;
 - b. Stair and elevator penthouses;
 - c. Mechanical equipment; and
- d. Play equipment and open-mesh fencing which encloses it, so long as the fencing is at least fifteen feet (15') from the roof edge.

* * *

Section 10. Existing Subsections D, E, F and G and a new subsection H of Section 23.60.660 of the SMC, adopted by Ordinance 113466, are amended or added as follows:

23.60.660 Uses permitted outright on waterfront lots in the UH Environment.

The following uses shall be permitted over water or on dry-land portions of waterfront lots in the Urban Harborfront environment as either principal or accessory uses:

* * *

D. The following institutions:

- 1. Institutes for advanced study, water-dependent or water-related,
- 2. Maritime museums,
- 3. Colleges that have water-dependent or water-related facilities,
- 4. Community centers,
- 5. Vocational schools, water-dependent or water-related,
- 6. Community yacht, boat, and beach clubs, and
- 7. ((Day)) Child care centers when located above wharf level;

Section 11. Subsection B of Section 23.60.662 of the SMC, which Section was adopted by Ordinance 113466, is amended as follows: 23.60.662 Special uses permitted on waterfront lots in the UH Environment. The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: **** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ****	
by Ordinance 113466, is amended as follows: 23.60.662 Special uses permitted on waterfront lots in the UH Environment. The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
23.60.662 Special uses permitted on waterfront lots in the UH Environment. The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
23.60.662 Special uses permitted on waterfront lots in the UH Environment. The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
UH Environment by the Director as either principal or accessory uses if the special use criteria of Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
Section 23.60.032 are satisfied: *** B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; ***	
18 19 20 21 B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; 25 26 27 * * * *	
19 20 21 B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; * * * 27	
B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; * * *	
B. The following utilities: ((1. Communication utilities that require a shoreline location,)) ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; * * * *	
22 ((1. Communication utilities that require a shoreline location,)) 23 ((2))1. Utility service uses that require a shoreline location, and 24 ((3))2. Utility lines; 25 26 ***	
23 ((2))1. Utility service uses that require a shoreline location, and ((3))2. Utility lines; 25 26 *** 27	
24 ((3))2. Utility lines; 25 26 27	
25 26 27	
26 27 ***	
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Section 12. Subsection D of Section 23.60.668 of the SMC, which Section was last	
amended by Ordinance 113764, is further amended as follows:	
31	
23.60.668 Prohibited uses on waterfront lots in the UH Environment.	
33	
The following uses are prohibited as principal uses on waterfront lots in the UH Environment:	
35	
36 ***	
37 Section 1997	
38 D. The following utilities:	
39 1. Solid waste transfer stations,	

1	2. Power plants, ((and))
2	3. Sewage treatment plants,
3	4. Major communication utilities, and
4	Freestanding transmission towers for minor communication utilities;
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10	Section 13. Section 23.60.692 of the SMC, which Section was last amended by
11	Ordinance 120117, is further amended as follows:
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13	23.60.692 Height in the UH Environment.
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17	C. Height Exceptions.
18	1. Cranes, gantries, mobile conveyors and similar equipment necessary for the
19	functions of marinas, marine manufacturing, permitted commercial, industrial or port activities and
20	servicing of vessels are exempt, provided such structures shall be designed to minimize view
21	obstruction.
22	2. Flagpoles, masts, and light poles are exempt.
23	3. Rooftop Features.
24	a. Open railings, planters, clerestories, skylights, parapets and firewalls
25 26	may extend up to four (4) feet above the maximum height with unlimited rooftop coverage.
26 27	b. Solar collectors may extend up to seven (7) feet above the maximum height with unlimited rooftop coverage.
28	c. The following rooftop features may extend up to fifteen (15) feet above
29	the maximum height, as long as the combined coverage of all features listed in this subsection 3C
30	does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent if the total
31	includes stair or elevator penthouses or screened mechanical equipment:
32	(1) Solar collectors;
33	(2) Stair and elevator penthouses;
34	(3) Mechanical equipment; and
35	(4) Play equipment and open-mesh fencing, as long as the fencing
36	is at least fifteen (15) feet from the roof edge.
37	d. Radio and television receiving ((aerials)) antennas, excluding dishes;
38	religious symbols for religious institutions; ((transmission towers;)) smokestacks and flagpoles may
39	extend up to fifty (50) feet above the roof of the structure on which they are located except as

1	regulated in Chapter 23.64, Airport Height District, provided they are a minimum of ten (10) feet
2	from all lot lines.
3	e. Minor communication utilities shall be governed by Section 23.57.013
4	<u>B2.</u>
5	4. Bridges. Bridges may exceed the maximum height limits.
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8	Section 14. Subsection C of Section 23.60.720 of the SMC, which Section was adopted
9	by Ordinance 113466, is amended as follows:
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11	C. The following utilities:
12	1. Utility lines, ((and))
13	2. Utility public service uses whose operations require a shoreline location, and
14	3. Minor communication utilities, except freestanding transmission towers;
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18	Section 15. Subsection E of Section 23.60.728 of the SMC, which Section was last
19	amended by Ordinance 118793, is further amended as follows:
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21	23.60.728 Prohibited uses on waterfront lots in the UM Environment.
22 23 24 25	The following mineral was an muchibited on waterfront lets:
23	The following principal uses are prohibited on waterfront lots:
24	* * *
25 26	
27	E. The following utilities:
28	1. Major ((\mathbf{C})) communication utilities,
29	2. Solid waste transfer stations,
30	3. Power plants,
31	4. Sewage treatment plants, and
	5. Freestanding transmission towers for minor communication utilities;
32 33	5. I recommend amounts for times continuence on annes,
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37	Section 16. Subsection A of Section 23.60.730 of the SMC, which Section was last
38	amended by Ordinance 118793, is further amended as follows:
39	antended of Standard 110/75, is intended as 10110/110.

1	23.60.730	Permitted uses on upland lots in the UM Environment.
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4	A. Us	ses Permitted Outright.
5		1. Uses permitted outright on waterfront lots in the UM Environment are
6	permitted outr	ight on upland lots.
7		2. Additional uses permitted outright on upland lots:
8		a. Commercial Uses.
9		(1) Sale of boat parts or accessories,
10		(2) Personal and household retail sales and service uses,
11		(3) Medical services,
12		(4) Animal services,
13		(5) Automotive retail sales and service,
14		(6) Eating and drinking establishments,
15		(7) Nonhousehold sales and services,
16		(8) Wholesale showroom, mini-warehouse, warehouse and
17	outdoor storag	
18		(9) Cargo terminals, non-water-dependent,
19		(10) Personal transportation services,
20		(11) Passenger terminals, non-water-dependent,
21		(12) Transit vehicle base,
22 23		(13) Food processing,
23		(14) Custom and craft work,
24 25		(15) Offices except in the Lake Union area, and
		(16) Research and development laboratories;
26		b. Recycling centers;
27		c. Light and general manufacturing uses, non-water-dependent; ((and))
28		d. Public facilities; and
29		e. Minor communication utilities, except freestanding transmission towers.
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33	C 4.	17 01 (D 00 (22/07/2 04 0MC 1:10 (1.41
34		on 17. Subsection D of Section 23.60.752 of the SMC, which Section was adopted
35	by Ordinance	113466, is amended as follows:
36	22 (0.752	Height in the UM Furtinguage
37	23.60.752	Height in the UM Environment.
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2	D. Rooftop Features.
3	1. Radio and television receiving ((aerials)) antennas, and flagpoles, are exempt
4	from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District,
5	provided such features are:
6	a. No closer to any adjoining lot line than fifty percent (50%) of their
7	height above existing grade; or
8	b. If attached only to the roof, no closer to any adjoining lot line than fifty
9	percent (50%) of their height above the roof portion where attached.
10	2. Railings, skylights, clerestories, solar collectors, parapets, and firewalls may
11	extend four feet (4') above the maximum height.
12	3. The following rooftop features may extend ten feet (10') above the maximum
13	height so long as the combined total coverage of all features does not exceed fifteen percent (15%)
14	of the roof area $((ef))$ or twenty percent (20%) of the roof area if the total includes screened
15	mechanical equipment:
16	a. Stair and elevator penthouses;
17	b. Mechanical equipment.
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19	* * *
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22	Section 18. Subsection F of Section 23.60.780 of the Seattle Municipal Code, which
23	Section was adopted by Ordinance 113466, is amended as follows:
24	
25	23.60.780 Uses permitted outright on waterfront lots in the UG Environment.
26	
27	The following uses shall be permitted outright on waterfront lots in the Urban General Environment
28	as either principal or accessory uses:
29	* * *
30	* * *
31	
32	F. The following utilities:
33	1. Utility lines,
34	2. Utility service uses whose operations require a shoreline location((; and)),
35	3. Solid waste transfer stations that are water-related, and
36	4. <u>Minor communication utilities, except freestanding transmission towers;</u>
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Section 19. Subsection D of Section 23.60.786 of the SMC, which Section was last amended by Ordinance 113764, is further amended as follows:

23.60.786 Prohibited principal uses on waterfront lots in the UG Environment.

The following uses are prohibited as principal uses on waterfront lots in the UG Environment:

* * *

D. The following utilities:

- 1. Major ((C)) communication utility,
- 2. Solid waste transfer stations, non-water-dependent,
- 3. Power plants, ((and))
- 4. Sewage treatment plants, and
- 5. Freestanding transmission towers for minor communication utilities;

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Section 20. Subsection D of Section 23.60.812 of the SMC, which Section was last amended by Ordinance 120117, is further amended as follows:

23.60.812 Height in the UG Environment.

* * *

D. Rooftop Features.

- 1. Radio and television receiving ((aerials)) antennas, flagpoles, and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided such features are:
- a. No closer to any adjoining lot line than fifty percent (50%) of their height above existing grade; or
- b. If attached only to the roof, no closer to any adjoining lot line than fifty percent (50%) of their height above the roof portion where attached.
- 2. Railings, skylights, clerestories, solar collectors, parapets, and firewalls may extend four feet (4') above the maximum height.
- 3. The following rooftop features may extend ten feet (10°) above the maximum height so long as the combined total coverage of all features does not exceed fifteen percent (15%)

	rea or twenty percent (20%) of the roof area if the total includes screened mechanical
equipment:	
	a. Stair and elevator penthouses; and
	b. Mechanical equipment.
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	* * *
Secti	ion 21. Subsection E of Section 23.60.840 of the SMC, which Section was adopted
	e 113466, is amended as follows:
23.60.840	Uses permitted outright on waterfront lots in the UI Environment.
The following	g uses shall be permitted outright on waterfront lots in the Urban Industrial
	as either principal or accessory uses:
	* * *
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E. 11	he following utilities:
	1. Utility lines,
	2. Solid waste transfer stations, water-related, ((and))
	3. Utility service uses whose operations require a shoreline location, and
	4. Minor communication utilities, except freestanding transmission towers;
	* * *
	" " "
Secti	ion 22. Subsection D of Section 23.60.848 of the SMC, which Section was last
	Ordinance 181663, is further amended as follows:
J	,
23.60.848	Principal uses prohibited on waterfront lots in the UI Environment.
The following	g principal uses are prohibited on waterfront lots in the UI Environment:
	* * *
DΤ	The following utilities:
2. 1	1. Major $((C))$ communication utilities,
	2. Solid waste transfer stations, non-water-dependent,

1	3. Power plants, ((and))
2	4. Sewage treatment plants, located outside of the Duwamish area, and
3	5. Freestanding transmission towers for minor communication utilities;
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5	* * *
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8	Section 23. Subsection C of Section 23.60.872 of the SMC, which Section was last
9	amended by Ordinance 113466, is further amended as follows:
10	
11	23.60.872 Height in the UI Environment.
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13	* * *
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15	C. Rooftop Features.
16	1. Radio and television receiving ((aerials)) antennas, flagpoles, chimneys and
17	smokestacks are exempt from height controls, except as regulated in Chapter 23.64, Airport
18	Height Overlay District, provided such features are:
19	a. No closer to any adjoining lot line than fifty percent (50%) of their
20	height above existing grade; or
21	b. If attached only to the roof, no closer to any adjoining lot line than fifty
22	percent (50%) of their height above the roof portion where attached.
23	2. Railings, skylights, clerestories, solar collectors, parapets and firewalls may
24	extend four feet (4') above the maximum height set in subsections A and B of Section 23.60.632.
25	3. The following rooftop features may extend ten feet (10') above the maximum
26	height set in subsections A and B of Section 23.60.632, so long as the combined total coverage of
27	all features listed in this subparagraph C3 does not exceed fifteen percent (15%) of the roof area,
28	or twenty percent (20%) of the roof area if the total includes screened mechanical equipment:
29	a. Stair and elevator penthouses; and
30	b. Mechanical equipment.
31	
32	* * *
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34	Section 24. Section 23.60.906 of the SMC, adopted by Ordinance 113466, is further
35	amended as follows:
36	22 (0.00(
37	23.60.906 "C."
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39	"Communication Devices and Utilities (and related terms). See Section 23.84.006 "C."

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4	Section 25 . This ordinance shall take effect and be in force on whichever is the later of:
5	the effective date of approval and adoption by the Department of Ecology; or thirty (30) days from
6	and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
7	days after its presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
8	
9	Passed by the City Council the day of, 2001, and signed by me in
10	open session in authentication of its passage this day of, 2001
11	
12	President of the City Council
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14	Approved by me this day of, 2001
15	
16	
17	Paul Schell, Mayor
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19	Filed by me this day of, 2001
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21	
22	City Clerk
23	(SEAL)